

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PHIMPHA THEPVONGSA,

Plaintiff,

NO. CV 10-01045-RSL

10

DECLARATION OF
MARY GUTIERREZ

REGIONAL TRUSTEE SERVICES CORPORATION; OLD REPUBLIC TITLE LTD.; OCWEN LOAN SERVICING, LLC, SAXON MORTGAGE SERVICES; ELECTRONIC REGISTRATION SYSTEMS, INC.; NEW CENTURY MORTGAGE CORPORATION; DEUTSCHE BANK NATIONAL TRUST COMPANY; MORGAN STANLEY ABS CAPITAL I INC.; and DOES 1 through 20.

Defendants.

Mary Gutierrez attests as follows:

1. At all relevant times I have been employed by Saxon Mortgage Service, Inc., ("Saxon") as a Senior Manager in Print Production. I am over eighteen and am competent to testify as to the matters herein. I make the following statement based on personal knowledge, my review of the records kept and maintained by Saxon Mortgage. As part of my duties, I have custody of, and am familiar with, the loan account files and

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MARY GUTIERREZ - 1

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1 records of plaintiff Phimpha Thepvongsa. The plaintiff's loan account files and records are
2 maintained by Saxon in the ordinary course of business and contain entries made at or near
3 the time of the events recorded therein by, or from information transmitted by, a person
4 with knowledge thereof.

5 2. Saxon first began servicing plaintiff's loan account on March 26, 2007, when
6 it received the file from New Century Mortgage.

7 3. Saxon serviced this file from March 26, 2007, until it was service released to
8 Ocwen Loan Servicing LLC on November 16, 2009.

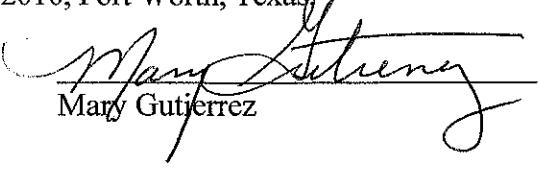
9 4. On October 30, 2009, Saxon sent a letter to the plaintiff giving notice of the
10 service transfer to Ocwen. Attached hereto as *Exhibit A* is a true and correct copy of the
11 October 30, 2009, letter.

12 5. After the servicing transferring this loan to Ocwen, Saxon has had no further
13 contact or communication with this customer apart from being served with this lawsuit.

14 6. Among the loan documents in the plaintiffs file is the deed of trust that
15 secured repayment of the loan. Attached hereto as *Exhibit B* is a true and correct copy of the
16 deed of trust.

17 I DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE
18 STATE OF WASHINGTON THAT THE FORGOING IS TRUE AND CORRECT TO
19 THE BEST OF MY KNOWLEDGE.

20 Dated this ____ day of September, 2010, Fort Worth, Texas.

21 
22 Mary Gutierrez

23
24 DECLARATION OF
25 MARY GUTIERREZ - 2

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